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7 Attorneys for Third-Party Defendants/Counter
Claimants
8 BASKIN-ROBBINS USA, CO.; TOGO'S
EATERIES, INC.

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

13 QUESTECH FINANCIAL CALIFORNIA,
14 LLC.,

15 Plaintiff,

16 v.

17 JYM CORPORATION

18 vs.

19 BASKIN-ROBBINS USA, CO.; TOGO'S
EATERIES, INC.

20 Third-Party Defendants.,

21 Defendant.

22 BASKIN-ROBBINS USA, CO.; TOGO'S
EATERIES, INC.,

23 Third-Party Defendant,

24 v.

25 QUESTECH FINANCIAL CALIFORNIA,
26 LLC, Does 1-50, inclusive,

27 Counter-Defendants.
28

Case No. CIV.S-04-2553 FCD GGH

**STIPULATION TO VACATE HEARING
ON SUMMARY JUDGMENT MOTION**

Date: February 10, 2006
Time: 10:00 a.m.
Judge: Frank C. Damrell, Jr.

STIPULATION

WHEREAS, Cross-Defendant/Cross-Claimant Baskin Robbins Co., Inc. and Togo's Eateries, Inc. ("Baskin/Togo's") have filed a Motion for Summary Judgment against QuesTech Financial California, LLC, which is currently on calendar for February 10, 2006; and

WHEREAS, the parties have agreed to settle the action;

THEREFORE, IT IS STIPULATED AND AGREED by and between the parties, that the hearing on calendar for February 10, 2006 for the summary judgment motion filed by Cross-Defendant and Cross-Claimant Baskin/Togo's be vacated.

DATED: January 30, 2006

/S/
STEPHEN LERNER
Attorney for Plaintiff

DATED: January 30, 2006

/S/
DANIEL L. EGAN
Attorney for Defendants

ORDER

IT IS HEREBY ORDERED that the hearing on calendar for February 10, 2006 for the summary judgment motion filed by Cross-Defendant/Cross-Claimant Baskin/Togo's against QuesTech Financial California, LLC be vacated, as stipulated herein.

DATED: February 1, 2006

/s/ Frank C. Damrell Jr.
HONORABLE FRANK C. DAMRELL, JR.

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